

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 15245 of Howard University, pursuant to 11 DCMR 3108.1, for a special exception under Section 211 for amendments to an approved campus plan and further processing under the amended plan to increase seating capacity of an athletic stadium in the R-4, R-5-B, R-5-D, SP-2, C-M-1, C-M-2, and C-2-A Districts for a campus generally located within the area bounded by Columbia Road, N.W. to the north; the McMillan Reservoir and 2nd Street, N.W. to the east; Rhode Island and Florida Avenues and U Street, N.W., to the south; and a portion of 11th Street, Sherman and Georgia Avenues, N.W. to the west, (Square 330, Lot 800; Square 2873, Lots 787, 788, 790, 870 and 974; Square 2875, Lots 1032, 1036, 1038, 1104, 1105, 2000-2002, 2033, 2035, 2036, 2037 and 2039; Square 2877, Lots 811, 933, 934, 945, 968, 970, 979 and 1023; Square 2882, Lot 951; Square 3055, Lots 821 and 822; Square 3057, Lot 92; Square 3058, Lots 827, 828, 829 and 833-835; Square 3060 Lots 41 and 839; Square 3063, Lot 801; Square 3064, Lots 826 and 837; Square 3065, Lots 33, 36 and 831; Square 3068, Lots 27-29, 801, 807 and 808; Square 3069, Lots 65 and 66; Square 3072, Lots 52 and 818; Square 3074, Lot 11; Square 3075, Lot 807; Square 3079, Lots 29-35, 37, 39-46, 49 and 89-91; Square 3080, Lots 42, 44, 45, 47, 48, 58, 67, 70-72, 832, 843, and 844; Square 3084, Lot 830; Square 3088, Lot 835; Square 3090, Lot 41, and; Square 3094, Lot 800).

HEARING DATE: January 17, 1990
DECISION DATE: January 17, 1990 (Bench Decision)

SUMMARY ORDER

The Board duly provided timely notice of public hearing on this application, by publication in the D.C. Register, and by mail to ANC 1B and to owners of property within 200 feet of the site.

The site of the application is located in Advisory Neighborhood Commission ("ANC") 1B. ANC 1B, which is automatically a party to the application, by letter dated January 16, 1990 supported the granting of the application.

As directed by 11 DCMR 3324.2, the Board has required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for a variance from the strict application of the requirements of 11 DCMR 211. No person or entity appeared at the hearing or

otherwise requested to participate as a party in this proceeding. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3107, and that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and maps. It is therefore ORDERED that the application is GRANTED, SUBJECT to the following CONDITIONS:


1. All lighting of the proposed stadium shall be designed so that all illumination shall be restricted to the campus area and not spill over beyond the campus.
2. Landscaping shall be in place at the completion of construction.
3. The applicant shall provide shuttle service from its surface parking lots to the stadium during all stadium events.

Pursuant to 11 DCMR 3301.1, the Board has determined to waive the requirement of 11 DCMR 3331.3 that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is not prohibited by law.

VOTE: 3-0 (William F. McIntosh, Charles R. Norris and Carrie L. Thornhill to grant; Paula L. Jewell not voting, having recused herself; Tersh Boasberg not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


EDWARD L. CURRY
Executive Director

FINAL DATE OF ORDER: FEB 2 1990

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

15245order/BHS15

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



APPLICATION No. 15245

As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a letter has been mail to all parties, dated SEP 2 1999, and mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

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Stanley J. Mayes, Chairperson
Advisory Neighborhood Commission 1-B
519 Florida Avenue, N.W.
Washington, D.C. 20001



EDWARD L. CURRY
Executive Director

DATE: _____